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October 12, 1999

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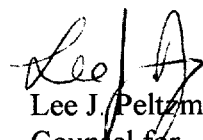
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM Docket No. 99-271
RM-9696
Amendment of Section 73.202(b)
Table of Allotments,
FM Broadcast Stations
Boulder City, Nevada;
Bullhead City, Lake Havasu City, Kingman,
Mohave Valley and Dolan Springs,
Arizona; and Ludlow, California

Dear Ms. Salas:

Transmitted herewith on behalf of Mag Mile Media, L.L.C., is an original and four (4) copies of its Counterproposal in the above-referenced rule making proceeding. Please contact the undersigned in the event the Commission has any questions with respect to these Comments.

Sincerely,


Lee J. Peltzman
Counsel for
MAG MILE MEDIA, L.L.C.

OKP

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 99-271
Table of Allotments,)	RM-9696
FM Broadcasting Stations)	
(Boulder City, Nevada,)	
Bullhead City, Lake Havasu City,)	
Kingman, Mohave Valley, and)	
Dolan Springs, Arizona, and)	
Ludlow, California)	

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COUNTERPROPOSAL

Mag Mile Media, L.L.C. ("Mag Mile"), proposed licensee of Station KFLG-FM, Bullhead City, Nevada¹, by its counsel, hereby submits its Counterproposal with respect to the Notice of Proposed Rule Making ("NPRM"), DA-99-1676, released August 20, 1999, in which the Commission sought comment on the rulemaking petition filed by Centennial Broadcasting, L.L.C. ("Centennial") proposing the substitution of Channel 274C for Channel 288C2 at Boulder City, Nevada and the modification of the license of Station KSTJ(FM), the substitution of Channel 289C for Channel 274C at Bullhead City, Arizona and the modification of the license of Station KFLG-FM, the substitution of Channel 272C2 for Channel 224C2 at Lake Havasu, Arizona and the modification of the license of Station KJJJ(FM), the substitution of Channel 224C1 for Channel 290C1 at Kingman, Arizona and the modification of the license of Station

¹ An application to assign the KFLG-FM license to Mag Mile has been approved by the Commission (Report No. 44551, p. 3) and closing is scheduled to occur shortly. Regent Licensee of Kingman, Inc., licensee of Station KFLG-FM, has consented to this filing.

KRCY(FM), and the substitution of Channel 273A for Channel 289A at Ludlow, California and the modification of the license of Station KDUK(FM). Mag Mile herein counterproposes that Channel 274C be instead reallocated from Bullhead City, Arizona to Dolan Springs, Arizona, as that community's first local service and that Station KFLG-FM's license be modified accordingly, and that Channel 272A be allotted to Mohave Valley, Arizona. In support hereof, the following is respectfully shown:

1. Mag Mile proposes that Channel 274C be reallocated from Bullhead City to Dolan Springs, Arizona at a reference point which is mutually exclusive with the current allotment of Channel 274C at Boulder City, Nevada. The reallocation of Channel 274C to Dolan Springs will constitute a first local service to that community. Dolan Springs is a community with a 1990 Census population of 1,090. Dolan Springs qualifies as a community for Commission allotment purposes as it has all of the indicia of community status. It has its own fire-fighting force, library, Chamber of Commerce, churches, a school (Mount Tipton Elementary School), financial institution (Stockman's Bank), water company, local newspaper (Serbat Gem), medical facilities and local businesses such as Double D Market, Ace Hardware and Dolan Springs Unique Gifts. It has social and fraternal organizations such as local chapters of the VFW and American Legion. It has its own post office and zipcode (86441). Lastly, Dolan Springs is not located in or near an urbanized area. See Exhibit 1.

2. Presently, Bullhead City is adequately served. Besides Station KFLG-FM, Stations KBAS(AM) and KFLG(AM) are also licensed to Bullhead City, Arizona. Consequently, the proposed reallocation of Channel 274C from Bullhead City to Dolan Springs will not deprive Bullhead City of its only local service.

3. The proposed reallocation complies with the Commission's rules and will serve the Commission's allotment priorities and the public interest. In Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd. 4870 (1989), recon. granted in part, 5 FCC Rcd. 7094 (1990) ("Community of License"), the Commission stated that it must compare a change of community proposal with the existing arrangement of allotments under the FCC's allotment priorities to determine which would constitute a "preferential arrangement of allotments."² The proposed reallocation of Channel 274C here from Bullhead City to Dolan Springs is mutually exclusive with its current use at Bullhead City as well as with the proposal of Centennial requesting the substitution of Channel 274C at Boulder City, Arizona. However, as noted, the new community, Dolan Springs, will obtain a first local service thereby implicating the third priority, whereas Bullhead City will retain two other broadcast services. Therefore, the existing arrangement of allotments would trigger lower allotment priority four.

Mag Mile's Counterproposal must also be preferred over the Centennial modification proposal. Mag Mile is proposing a first local service to Dolan Springs. In comparison, the NPRM proposes the substitution of Channel 274C for Channel 288C2 at Boulder City and, therefore, does not propose any new service. Mag Mile's proposal will therefore serve a higher priority. Accordingly, it is clear that Mag Mile's proposal will provide a fairer, more efficient and more equitable distribution of radio facilities. See Revision of FM Assignment Policies and Procedures, supra.

² The FM allotment priorities are: (1) first full-time aural service; (2) second full-time aural service; (3) first local service; (4) other public interest consideration. Co-equal weight is given to priorities (2) and (3). See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 92 (1982).

As discussed in the attached Engineering Statement, the instant Counterproposal proposes the relocation of the reference point of Channel 274C. The Counterproposal complies with the Commission's mileage separation and city coverage rules. Also, as noted, Dolan Springs is not located in an urbanized area, and the 70 dBu contour of the relocated KFLG-FM will not encompass 50% or more of any urbanized area.

The proposed reallocation of Station KFLG-FM, and the relocation of its transmitter site, would result in an increase in service to 562,620 persons and loss area of 7,189 people. However, any Commission concern regarding this loss area is mitigated by the fact that the population in the loss area will remain served by at least two full-time aural reception services. See Earle, Pocahontas and Wilson, Arkansas and Como and New Albany, Mississippi, 10 FCC Rcd 8270 (1995); Huntsville and Willis, Texas, 10 FCC Rcd 3329 (1995). (Commission concern regarding loss of service significantly mitigated by the fact that the vast majority of the population in the loss area would remain well served by other services.) Thus, there are more than adequate services in the loss area.

Mag Mile also proposes the allotment of Channel 272A to Mohave Valley, Arizona as that community's first local aural service. The Mohave Valley proposal is mutually exclusive with the proposal to substitute Channel 272C2 at Lake Havasu City, Arizona. Mohave Valley is a community with a 1990 Census population of 6,962 individuals. There are presently no AM or FM radio stations, commercial or noncommercial, licensed to Lake Havasu City.

Mohave Valley, Arizona is a community for FCC allotment purposes. It is a census designated place, and, as previously noted, according to the 1990 U.S. Census had a population of 6,962. It has its own zip code, fire district and school district, which includes two elementary

schools, a middle school and the River Valley High School. Mohave Community College has a campus in Mohave Valley. See Exhibit 2.

The Mohave County Library is located in Mohave Valley. In addition to dozens of businesses, Mohave Valley is home of the Mohave Valley Raceway. There are two churches located in Mohave Valley., See Exhibit 2.

The Mohave Valley counterproposal also complies with the Commission's mileage separation and city coverage rules. See Exhibit 3.

Mag Mile's Mohave Valley counterproposal must be preferred over the proposal to substitute a channel at Lake Havasu City. The new community, Mohave Valley, will obtain a first local service, whereas Lake Havasu is served by five broadcast stations. Therefore, Mag Mile's proposal will serve a higher allotment priority here as well. See Revision of FM Assignment Policies and Procedures, supra.


In conclusion, Mag Mile's proposals each must be preferred in the instant proceeding because they propose the reallocation of Channel 274C to Dolan Springs, Arizona -- which will allow Station KFLG-FM to provide a first local service to Dolan Springs, whereas the NPRM only proposes the substitution of a channel at Boulder City, Nevada without providing any new aural service -- and propose the allotment of Channel 272A to Mohave Valley, Arizona as that community's first local service, whereas the NPRM only proposes the substitution of a channel at Lake Havasu City without providing any new aural service. Accordingly, Mag Mile's proposals are clearly superior to those proposed in the NPRM and must be preferred under the Commission's allotment priorities.

Mag Mile hereby states that in the event the Commission grants its counterproposal to reallocate Channel 274C from Bullhead City to Dolan Springs, Arizona and modify Station KFLG-

FM's license accordingly, Mag Mile will immediately file an application for that facility and will implement that application expeditiously after Commission grant.³ Mag Mile additionally states that in the event the Commission grants its counterproposal and allots Channel 272A to Mohave Valley, Arizona, Mag Mile will file an application for that facility and will implement that application expeditiously after grant.

Accordingly, for the reasons stated above, Mag Mile respectfully requests that the Commission deny the proposal contained in the NPRM and instead grant Mag Mile's mutually exclusive counterproposal to reallocate Channel 274C from Bullhead City, Arizona to Dolan Springs, Arizona, at the reference point proposed herein, as that community's first local service, amend the Table of Allotments to reflect the foregoing and modify Station KFLG-FM's license to specify operation on its new channel and grant Mag Mile's mutually exclusive counterproposal to allot Channel 272A at Mohave Valley, Arizona.

Respectfully submitted,
MAG MILE MEDIA, L.L.C.

By: 
LEE J. PELTZMAN

SHAINIS & PELTZMAN, CHARTERED
1901 L Street, N.W. - Suite 290
Washington, D.C. 20036
202 293 0011

Its Attorneys

October 12, 1999

³ Mag Mile, with Regent's written consent, on October 8, 1999, filed a minor change application to relocate its transmitter site. Mag Mile states herein that, in the event its application is granted, it will implement its permit and relocate. Likewise, in the event this counterproposal is approved, Mag Mile will implement its proposal by filing an application and, upon grant, commencing operations as a Dolan Springs station.

Exhibit 1



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Dolan Springs Fire District	16126 Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3300
Dolan Springs Public Library	15947 N Don Nell Dr	Dolan Springs, AZ	(520) 767-4292
Dolan Springs Rv Park	15580 Don Nell St # 1	Dolan Springs, AZ	(520) 767-4249
Dolan Springs Water Co	16055 N Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3713
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Michael Mastakas MD - Dolan Springs Family Practice	16055 Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3555
Wacog Dolan Springs Program	16500 N Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3660

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Dolan Springs Baptist Church	15065 N Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-4363
Our Lady Of The Desert Mission	15385 Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3154
Rancho Community Assembly-God	16741 N Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-4223

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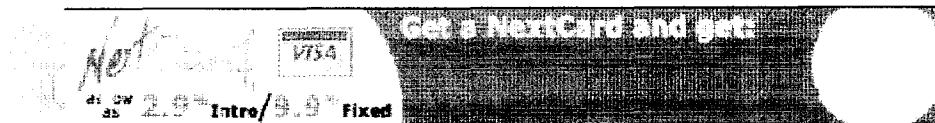
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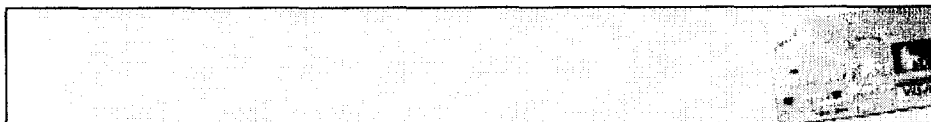
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Business Name	Address	City	Phone
Board Of Supervisors	16037 N Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3400
Food Stamps Office	16128 Pierce Ferry Rd	Dolan Springs, AZ	(520) 767-3648
Mohave County Senior Program	15195 Pearce Ferry Rd	Dolan Springs, AZ	(520) 767-3668

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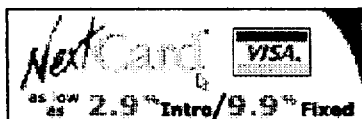
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Michael A Stone - Mohave Insurance Express	8550 Highway 95	Mohave Valley, AZ	(520) 768-4700
Mohave Co Animal Control	9880 Vanderslice	Mohave Valley, AZ	(520) 768-3125
Mohave Concrete & Material Inc	Oatman Rd	Mohave Valley, AZ	(520) 768-7161
Mohave Concrete & Materials	1781 E Boundry Cone Rd	Mohave Valley, AZ	(520) 330-3750
Mohave County Library	8045 Highway 95	Mohave Valley, AZ	(520) 768-1151
Mohave County Road Dept	9910 Vanderslice Rd	Mohave Valley, AZ	(520) 768-7083
Mohave Valley Animal Hospital	10235 Barrackman Dr	Mohave Valley, AZ	(520) 768-3108
Mohave Valley Assembly Of God	2020 Regents Rd	Mohave Valley, AZ	(520) 768-4638
Mohave Valley Auto & Diesel	10255 S Barrackman Rd	Mohave Valley, AZ	(520) 768-3773
Mohave Valley Elementary Schl	8450 Olive Ave	Mohave Valley, AZ	(520) 768-2507
Mohave Valley Elementary Schl	1419 E Willow St	Mohave Valley, AZ	(520) 768-2211
Mohave Valley Fire District	1451 Willow Dr	Mohave Valley, AZ	(520) 768-9113
Mohave Valley Jr High School	6565 Girard Ave	Mohave Valley, AZ	(520) 768-9196
Mohave Valley Landscaping	3265 Evergreen Dr	Mohave Valley, AZ	(520) 768-7459
Mohave Valley Raceway	2750 Laguna Rd	Mohave Valley, AZ	(520) 768-6067
Mohave Valley School District	1424 Commercial St	Mohave Valley, AZ	(520) 768-4538
Wacog Mohave Valley Program	2250 Laguna Rd	Mohave Valley, AZ	(520) 768-1090
Wacog Mohave Valley Program	Main & Commercial	Mohave Valley, AZ	(520) 768-1090



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Wacog Mohave Valley Program	Main & Commercial	Mohave Valley, AZ	(520) 768-1090	

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Ronald D Brown Jr DC - Brown Chiropractic	10225 Harbor Ave # 5	Mohave Valley, AZ	(520) 768-3007	

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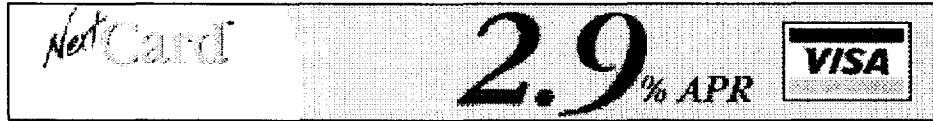
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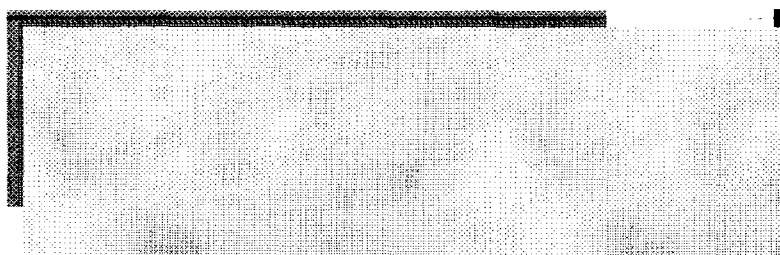
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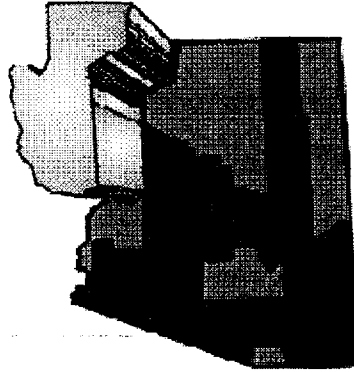
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Mohave Campuses & Communities

COMMUNITY COLLEGE

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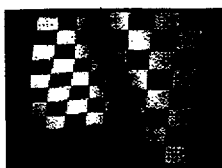
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Consulting Engineers

Engineering Statement

The following engineering statement and attached exhibits have been prepared for Mag Mile Media, L.L.C. and contains data and engineering for a rulemaking to re-allot the channel used by KFLG-FM at Bullhead City, Arizona to Dolan Springs, Arizona.

Enclosed with this exhibit is a single channel spacing study for KFLG-FM from the proposed reference coordinates. On the attached single channel spacing study, five different items are indicated to which the proposed reference site would be short spaced. Four of these item deal directly with KFLG-FM, and therefore are moot. The other item concerns KSTJ at Boulder City, Nevada. That item pertains to a pending rulemaking before the Commission to which this rulemaking is a counterproposal. If these five items are removed, it is clear that the proposed reference site would meet all spacing requirements to other facilities and allotments.

Attached to this exhibit is a coverage map depicting the predicted FCC service contours from the reference site. In accordance with FCC rules, the standard power and height (100 kilowatts ERP and 600 meters haat) were used for calculation of these contours. As the map indicates, the community of license, Dolan Springs, lies entirely within the predicted 70-dBu service contour.

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The second map depicts the protected service contours from other facilities in the area. On this map, the blue contours depict the predicted 60 dBu service contours from A, C3, C2, C1, and C facilities, the black contours depict the 54 dBu service contour from class B facilities, and the green contour is the nighttime interference-free service contour for KWND. As indicated by notes on the map, no area within the loss area, defined by the red polygon, would receive less than two other aural signals if KFLG-FM were moved to the reference coordinates for Dolan Springs.

It should be noted that numerous facilities in this vicinity share the same tower as other stations. As a result, a contour on the map does not necessarily indicate only one facility from that site. A complete listing of the other facilities utilized in this study is attached to this exhibit.

From its currently licensed site, KFLG-FM has 24967.9 square kilometers of area and 93,949 residents within the predicted 60-dBu service contour. From the reference site, the area contained within the 60-dBu contour is 26,128.3 square kilometers with 640,953 residents. This represents an increase of 4.6 percent in land area served and an increase of 682.2 percent in residents served.

The loss area, indicated by the red polygon, and defined by the area that currently is inside the KFLG-FM 60 dBu contour but would be outside with the

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station operating at the reference coordinates, is 8,452.25 square kilometers. Within this area, 7,189 persons reside. This loss area represents 33.9 percent of the current service area and 7.65 percent of the residents in the current service area. The gain area, that area that would newly be served by KFLG-FM is 9,592.4 square kilometers, which represents 38.4 percent of the current area served. Within this gain area, 562,620 persons reside, which represents 598.9 percent of the population currently served.

The preceding statement and attached exhibits have been prepared by me, or under my direction, and are true and accurate to the best of my belief and knowledge.

10/11/99
Date


Jeremy D. Ruck, Consulting Engineer

Single Channel Study For: Dolan Springs, Arizona On Ch. 274 C -102.7 Mhz.

States Searched: CA,NV,AZ,NM,CO,UT,OR,ID,SO,CH
Run Date: 10-12-1999

35x 39' 03" N.
114x 18' 44" W.

CHANNEL ALLOTMENT OR STATION			CLASS		CALCULATED - REQUIRED KM. (MI.)		BEARING Deg. T.
220 NEW	APP	Kingman	AZ	C	71.70(44.55)	48	146.90
220 NEW	APP	Kingman	AZ	C	71.24(44.26)	48	146.80
220 NEW	APP	Kingman	AZ	C	71.59(44.48)	48	146.90
220	VACANT	Kingman	AZ	C	56.39(35.04)	48	155.40
220 NEW	APP	Kingman	AZ	C	73.26(45.52)	48	149.60
221	NO CONFLICT						
271	NO CONFLICT						
272 KJJJ	ADD	Lake Havasu Cit	AZ	C2	122.41(76.06)	105	174.90
273	NO CONFLICT						
274 KSTJ	ADD	Boulder City	NV	C *	62.87(39.07)	290	307.80
274	USED	Bullhead City	AZ	C *	64.86(40.31)	290	203.60
274 KFLG-FM	DEL	Bullhead City	AZ	C *	59.35(36.88)	290	221.30
274 KFLG-FM	APP	Bullhead City	AZ	C *	59.42(36.92)	290	221.90
274 KFLG-FM	LIC	Bullhead City	AZ	C *	59.35(36.88)	290	221.30
275 KQST	LIC	Sedona	AZ	C	266.03(165.30)	241	105.80
275	USED	Sedona	AZ	C	247.87(154.02)	241	109.80
275	ADD	Hurricane	UT	C3	192.38(119.54)	176	28.10
276	NO CONFLICT						
277	NO CONFLICT						

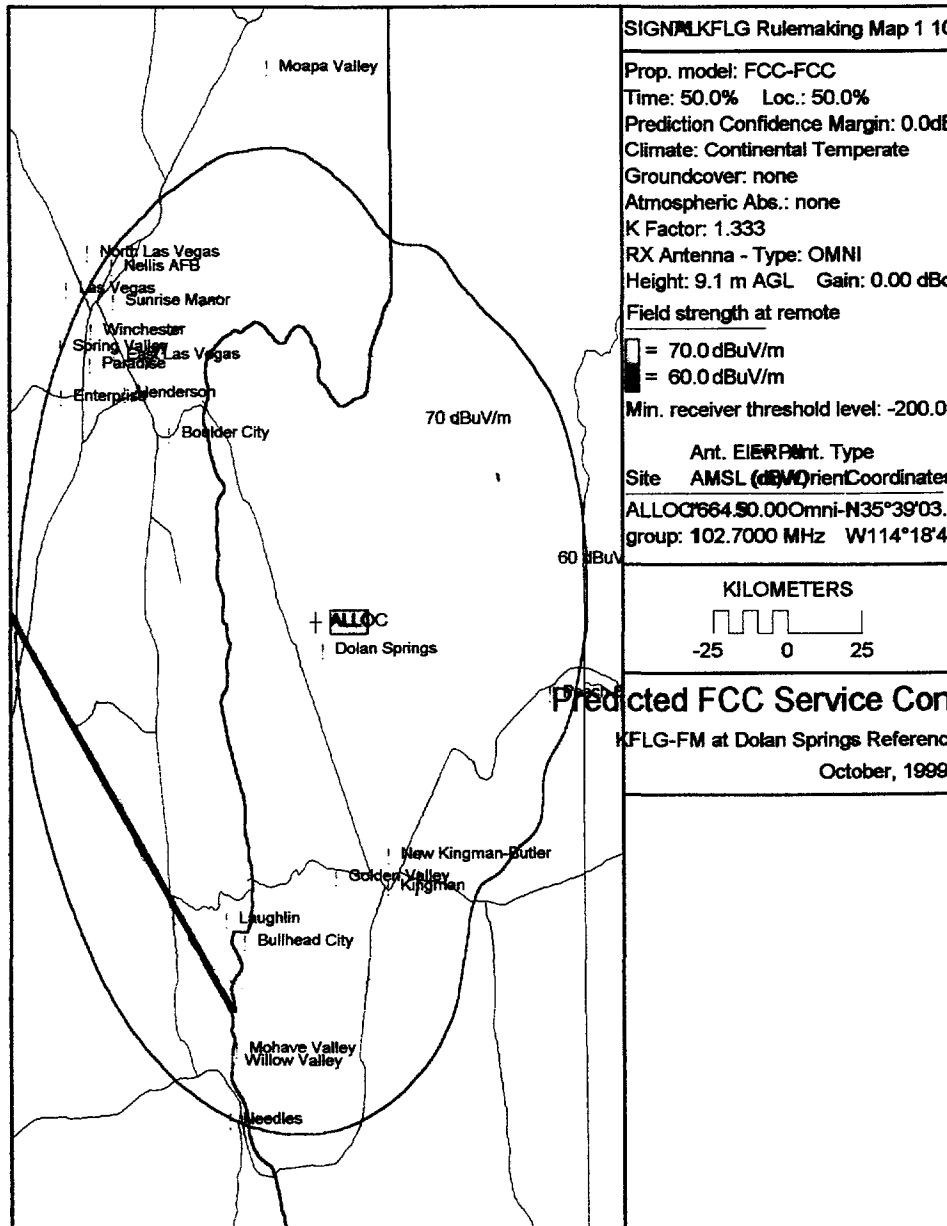
*-Short Spaced

Only listings with clearances less than 32 Km. are shown.

This study utilized a copy of the FCC FM Database obtained directly from the Federal Communications Commission. D. L. Markley & Associates, Inc. believes this information to be accurate and current. However, D. L. Markley & Associates, Inc. does not assume any responsibility for any erroneous or incomplete data furnished as part of that database.

D.L. Markley & Associates, Inc.**Consulting Engineers****Tabulation of Stations Used For Facilities Map**

• KJJJ	Lake Havasu City, Arizona
• KADD	Laughlin, Nevada
• KZZZ	Kingman, Arizona
• KNKK	Needles, California
• KHWY	Essex, California
• KHYZ	Mountain Pass, California
• KGMN	Kingman, Arizona
• KZUL-FM	Lake Havasu City, Arizona
• KRCY	Kingman, Arizona
• KLUK	Laughlin, Nevada
• KXTE	Pahrump, Nevada
• KJUL	North Las Vegas, Nevada
• KIXF	Baker, California
• KXPT	Las Vegas, Nevada
• KQOL-FM	Las Vegas, Nevada
• KOMP	Las Vegas, Nevada
• BPH-950921MK	Essex, California
• KDWN(AM)	Las Vegas, Nevada



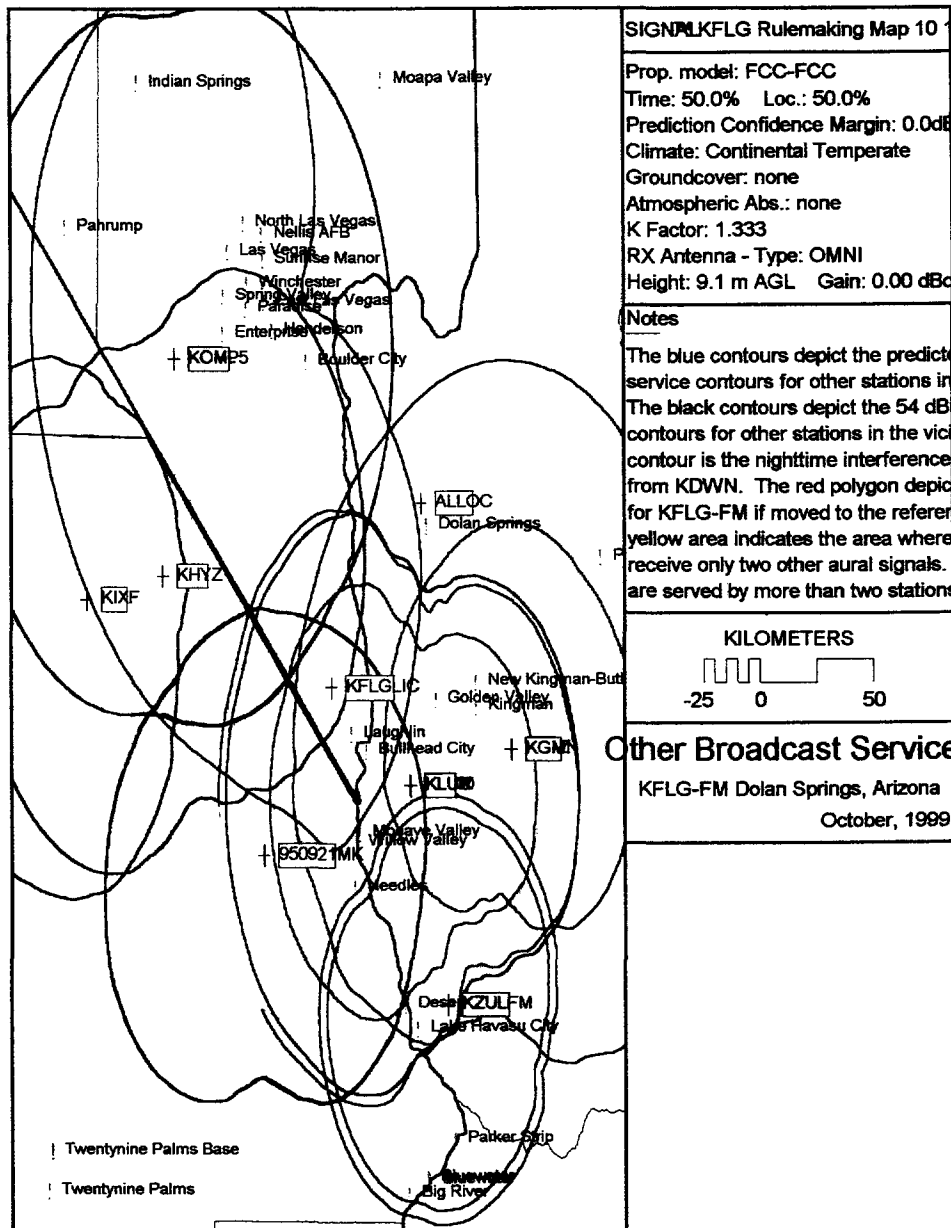
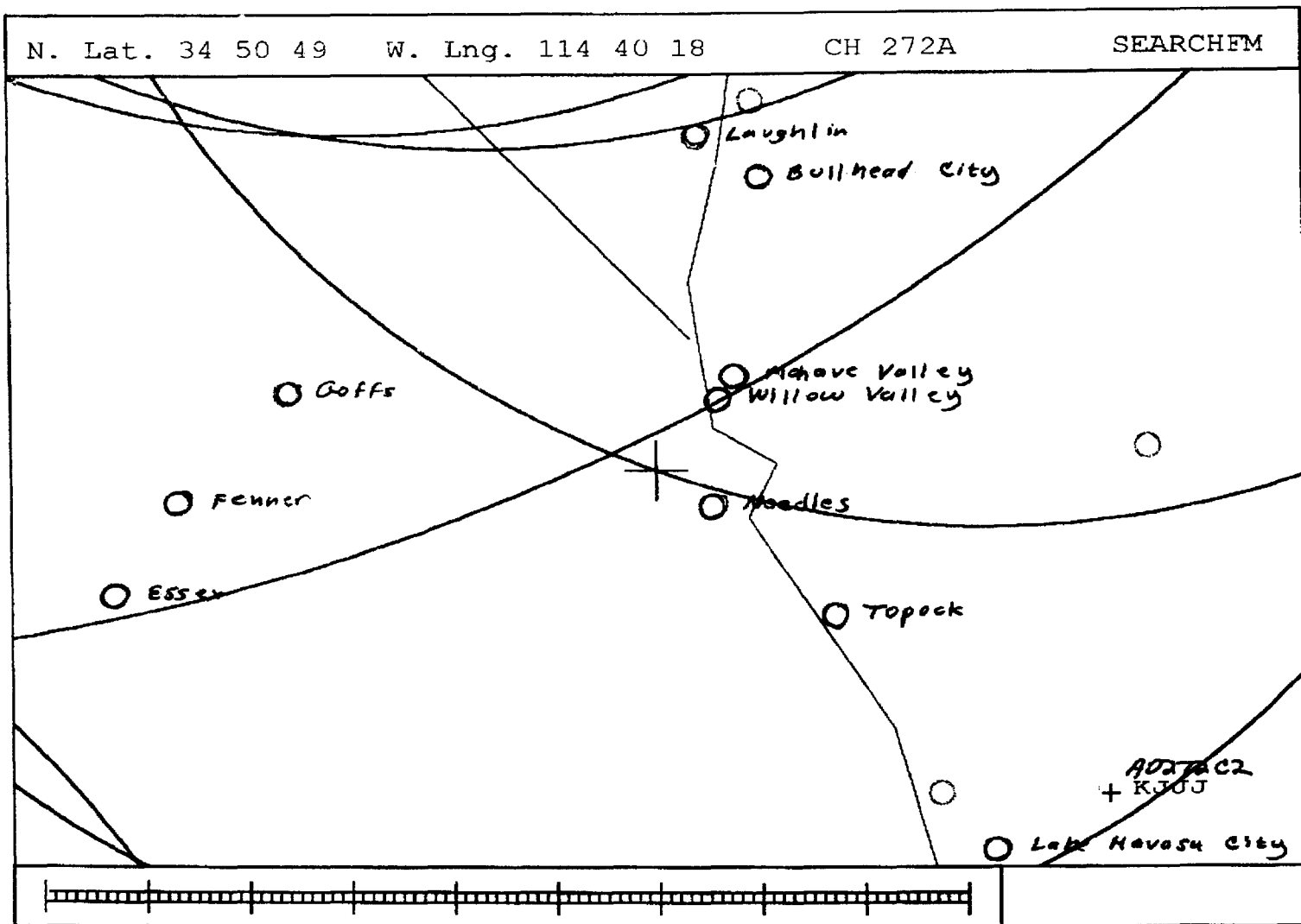


Exhibit 3



AD272A MOHAVE VALLEY, AZ
FIRST LOCAL SERVICE

Call	CH#	Location		D-KM	Azi	FCC	Margin
(KJJJ) AD272C2		Lake Havasu Ci	AZ (from 271)	54.69	126.8	166.0	-111.31
KFLGFM 274C		Bullhead City	AZ	45.07	351.7	95.0	-49.93
o KFLGFM 274C		Bullhead City	AZ *	95.00	20.0	95.0	0.00
AD272 272C		Indian Springs	NV	229.42	333.8	226.0	3.42
(KSTJ) AD274C		Boulder City	NV (from 281)	128.66	352.3	95.0	33.66
KFMSEFM 270C		Las Vegas	NV	132.31	346.9	95.0	37.31
KJJZ 272A		Indio	CA	179.49	233.2	115.0	64.49
(KDUQ) AD273A		Ludlow	CA (from 281)	137.63	264.6	72.0	65.63
KAHM 271C		Prescott	AZ	234.55	93.6	165.0	69.55

* KFLG Application Site & City Change Coordinates


CONSENT

This will provide the necessary consent from Regent Licensee of Kingman, Inc., licensee of Station KLFG-FM, Bullhead City, Arizona, to Mag Mile Media, L.L.C., proposed assignee of Station KLFG-FM, to file a counterproposal in MM Docket No. 99-271 to reallocate Channel 274C to Dolan Springs, Arizona.

REGENT LICENSEE OF KINGMAN, INC.

Date: October 12, 1999

By:


Terry Jacobs
President
Chairman & CEO

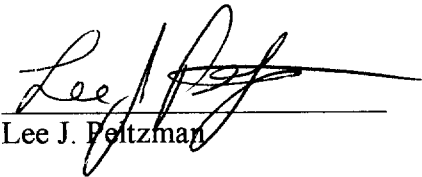
FCC/D.LAS VEGAS Consent-a.doc

CERTIFICATE OF SERVICE

I, Lee J. Peltzman hereby certify that I mailed on this 12th day of October, 1999 a copy of the foregoing via U.S Mail, first class, postage prepaid, to the following:

John S. Logan, Esq.
M. Anne Swanson, Esq.
Dow Lohnes & Albertson
1200 New Hampshire Avenue, N.W., #800
Washington, DC 20036-6802

*John Karousos
Federal Communications Commission
445 - 12th Street, S.W., **Room 3-A325**
Washington, DC 20554



Lee J. Peltzman

* via hand delivery